

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 333 of 1995

PUNIT MANINAGR OWNERS ASSO.

Versus

SUB REGISTRAR

CORAM : MR.JUSTICE N.N.MATHUR

Date of Order: 15/04/96

ORAL ORDER

The petitioner has been granted licence under the provisions of the Petroleum Rules, 1976. The District Magistrate, Surendranagar issued a Show-cause Notice dated 27-7-1993, stating that the petitioner has been given licence for storing kerosene in barrels. However, the petitioner stored the kerosene in the tank and as such it has committed breach of Condition No.7 of the Licence. By another letter dated 6-9-1993 the petitioner was called upon as to why kerosene storage licence of the petitioner - Company should not be cancelled. The petitioner submitted its explanation.

Considering the reply, the District Magistrate, Surendranagar, held that there was contravention of Condition No.7 of the Licence and as such by the order dated 24-1-1994 cancelled Kerosene Storage Licence. The petitioner's application for renewal of the licence was also rejected. The appeal filed by the petitioner was rejected by the Appellate Authority i.e. Deputy Secretary, Home Department, Government of Gujarat.

It is not in dispute that the kerosene was found in the tank instead of barrels. Condition No.7 of the Licence reads as under:-

"Petroleum Class - B shall be packed in air-tight tins or drums of approved type or in other receptacles not easily broken."

In view of this, there is no merit in this Special Civil Application and hence the same is rejected. Notice discharged.

Date:-15-4-1996. (N. N. Mathur, J.)